

AN ACT

relating to the duty to report child abuse and neglect.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 261.101(a), (b), and (b-1), Family Code, are amended to read as follows:

(a) A person having reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by this subchapter.

(b) If a professional has reasonable cause to believe that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional has reasonable cause to believe that the child has been abused as defined by Section 261.001, the professional shall make a report not later than the 48th hour after the hour the professional first has reasonable cause to believe [~~suspects~~] that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely on another person to make the report. In this subsection, "professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children.

1 The term includes teachers, nurses, doctors, day-care employees,
2 employees of a clinic or health care facility that provides
3 reproductive services, juvenile probation officers, and juvenile
4 detention or correctional officers.

5 (b-1) In addition to the duty to make a report under
6 Subsection (a) or (b), a person or professional shall make a report
7 in the manner required by Subsection (a) or (b), as applicable, if
8 the person or professional has reasonable cause to believe that an
9 adult was a victim of abuse or neglect as a child and the person or
10 professional determines in good faith that disclosure of the
11 information is necessary to protect the health and safety of:

- 12 (1) another child; or
13 (2) an elderly person or person with a disability as
14 defined by Section 48.002, Human Resources Code.

15 SECTION 2. The changes in law made by this Act apply only to
16 a report of suspected abuse or neglect of a child that is made on or
17 after the effective date of this Act. A report of suspected abuse
18 or neglect that is made before that date is governed by the law in
19 effect on the date the report was made, and that law is continued in
20 effect for that purpose.

21 SECTION 3. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 3379 was passed by the House on April 16, 2021, by the following vote: Yeas 112, Nays 33, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3379 on May 28, 2021, by the following vote: Yeas 134, Nays 9, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3379 was passed by the Senate, with amendments, on May 24, 2021, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor